

### Part 3 Qualifying Energy Delivery Projects

**63H-2-301 Prioritization of energy delivery projects.**

- (1) The board shall review the location and availability of energy sources in the state.
- (2) The board shall:
  - (a) determine if there is adequate infrastructure and capacity to bring energy sources to market;
  - (b) prioritize projects on the basis of:
    - (i) location;
    - (ii) supporting responsible energy development;
    - (iii) feasibility of development; and
    - (iv) economic development factors; and
  - (c) provide available funding to develop energy resource plans to provide for energy infrastructure development, including development of an integrated resource plan.

Amended by Chapter 37, 2012 General Session

**63H-2-302 Approval of qualifying energy delivery project.**

- (1) To approve a qualifying energy delivery project, the board shall determine that the project:
  - (a) contributes to the economy of the state and the one or more communities where the project is located;
  - (b) is strategically situated to maximize connections to an energy source project located in the state that is:
    - (i) existing;
    - (ii) under construction;
    - (iii) planned; or
    - (iv) foreseeable;
  - (c) is supported by a business case for providing the revenue necessary to:
    - (i) service an authority bond issued to finance the project; and
    - (ii) finance the construction and operation of a project;
  - (d) is supported by a project plan related to:
    - (i) engineering;
    - (ii) environmental issues;
    - (iii) energy production;
    - (iv) load or other capacity; and
    - (v) any other issue related to the building and operation of energy delivery infrastructure;
  - (e) complies with the regulations of the following regarding the building of energy delivery infrastructure:
    - (i) the Federal Energy Regulatory Commission;
    - (ii) the North American Electric Reliability Council; and
    - (iii) the Public Service Commission of Utah; and
  - (f) promotes responsible energy development.
- (2) This chapter may not be used to compel interconnection to or use of a transmission or interconnection line or facility that belongs to another person.

Amended by Chapter 37, 2012 General Session

